

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
1600 Broadway, Suite 700
Denver, Colorado 80202-4967



Region VIII

MT 0208.90.R2.03; DF

April 28, 2008

Mr. John Chappuis
State Medicaid Director
Department of Public Health and Human Services
P.O. Box 4210
Helena, MT 59604-4210

Dear Mr. Chappuis,

This letter is to inform you that your request to amend the Montana home and community-based services waiver for adults and children with mental retardation and developmental disabilities, as authorized under section 1915(c) of the Social Security Act, has been approved. These individuals would otherwise require the level of care provided in an intermediate care facility for persons with mental retardation and related conditions. The waiver amendment has been assigned control number 0208.90.R2.03, which should be used in all future correspondences regarding this program.

The amendment results in the following waiver changes: 1) Implement a self-directed waiver option under an agency with choice service model. There is no age limitation for participants choosing to self-direct, and all eligible waiver recipients may freely choose to either self-direct some or all of their services or receive services under the traditional model of service delivery. Self-directing recipients have budget authority but no legal employer or co-employer authority. The self-directed waiver option is projected to serve 350 individuals, including both adults and children; 2) Increase the number of persons eligible to receive Adult Foster Support (AFS). The State projects 40 recipients will receive adult foster supports at an average value of \$16,924.68 per person in Year 5. This revision is based on a 4 tier model in the level of AFS support. This amendment request will help ensure that persons with less extensive support needs can be served in adult foster care settings; 3) Add a new waiver service called Individual Goods and Services, which is available to all waiver recipients; 4) Modify the existing service definition for Personal Care by removing the requirement that oversight of the personal care worker must be provided by an RN. Personal care is available under the waiver only to the extent the service is not available to the recipient under the State Plan; 5) Remove Family Supports Coordination (FSC) as a waiver service option. As part of this amendment, the components of Family Supports Coordination, Caregiver Training and Supports and Waiver-funded Children's Case Management, will be offered as discreet waiver services; 6) Add Caregiver Training and Support (CTS) as a waiver service. This service is available to children and adults in settings where the recipient's primary caregiver is unpaid. This includes family settings and foster care in which the foster care provider does not receive adult foster support reimbursement. No DD waiver services are available to children in foster care who are under the custody of the state;

7) Add Waiver-funded Children's Case Management (WCCM) as a discreet service. At the age of 16, a recipient of WCCM has the option of choosing an adult target case management offered under the Montana State Plan, in lieu of receiving WCCM. The State assures that this waiver will be compliant with all applicable regulations related to case management no later than 3/3/2010; 8) Remove Residential Training Supports (RTS) as a discreet waiver service, and incorporate RTS as a subcomponent of Adult Foster Supports (AFS) for Year 5; and, 9) In summary, the Year 5 number of unduplicated recipients projected to be served does not change and the projected Factor D value decreases by \$20.85 with this amendment request. Funds in the currently approved waiver have been re-allocated for Year 5, based on the requested above changes. In addition, the State notes that respite provided by persons who are not employees of agencies with a DDP contract will terminate effective 6/30/08, based on liability concerns shared by both CMS and Department staff. The termination of this respite option will be incorporated in upcoming waiver renewal language, effective 7/1/08.

The amendment has been approved with an effective date of July 1, 2007, to include the following estimates of utilization and cost of waiver services:

	# of unduplicated recipients	Est. Waiver Costs Per Person (Factor D)	Estimated all other Medicaid Costs Per Person	Total Estimated Community Costs Per Person	Overall Estimated Waiver Costs
Year 5	2200	\$36,109.86	\$6,718	\$42,827.86	\$ 79,441,682.90

We appreciate the time and efforts provided by you and your staff, especially Jeff Sturm with the Developmental Disabilities Program (DDP). If you have any questions, please feel free to contact Di Friedli at (303) 844-7112.

Sincerely,



Richard C. Allen

Associate Regional Administrator
Division of Medicaid and Children's Health

cc: Jeff Sturm, DDP
Ondrea Clay, CMS